

## Budget Brief – Jury/Witness/Interpreter Fees

BDA

EOCJ-CRT-04

### SUMMARY

The State pays jurors, witnesses, and interpreters called by the Courts. This line item regularly runs a deficit as allowed by statute. Shortfalls are referred to the Board of Examiners to be certified as a claim against the state. The Board of Examiners has recommended payment of FY 2006 over-expenditures in the Jury/Witness/Interpreter budget in the amount of \$82,800.

### ISSUES AND RECOMMENDATIONS

The Courts are authorized to overspend as needed in the Jury/Witness/Interpreter (JWI) line item by UCA 78-46-25. The Judicial Council may submit a claim to the Board of Examiners for payment of claims against the state for deficit spending in this particular line item. Although deficits have existed in the line item, the Legislature usually funds deficits on a year-to-year basis.

#### ***History and Building Block Request***

The JWI budget incurred an \$82,800 deficit in FY 2006. The Courts also expect \$150,000 in deficit spending in the line item during FY 2007. The Courts have requested supplemental appropriations of \$232,800 to fund deficits from FY 2006 and projected FY 2007 deficits. The Courts have also requested \$150,000 in ongoing General Fund for FY 2008 to prevent future shortfalls.

#### ***Accountability***

The Board of Examiners reviews the need for a request for Supplemental Appropriations for this budget. No performance measures were submitted for this fund. This budget line item is used to fund needed jurors, interpreters or witnesses.

#### ***Recommendation***

The Analyst recommends a supplemental request of \$82,800 for the JWI line item. Again, this line item is authorized to carry over a deficit from one year to the next.

### BUDGET DETAIL

Ninety-five percent of the budget is General Fund. A small amount of Dedicated Credit Revenue is collected from interpreters for required tests. The only other source of revenue reflected is “nonlapsing” funds, which is typically a nonlapsing deficit.

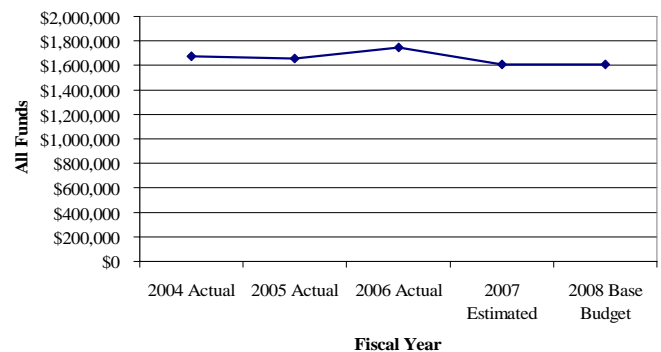
#### ***Budget Recommendation***

The Analyst recommends \$1,606,800 to fund costs for jurors, court-called witnesses, and appointed interpreters.

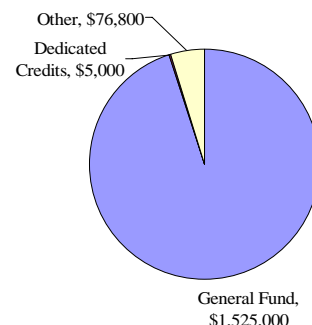
#### ***Intent Language***

The Analyst recommends the continuation of the following Legislative intent language: *It is the intent of the Legislature that the funds for Corrections Programs and Operations line item shall not lapse.*

**Figure 1: Courts - Jury and Witness Fees - Budget History**



**Figure 2: Courts - Jury and Witness Fees - FY 2008 Funding Mix**



**LEGISLATIVE ACTION**

1. The Analyst recommends a base budget for the Juror/Witness/Interpreter line item of \$1,606,800.
2. Consider non-lapsing intent language for the JWJ line item.
3. Fund \$82,800 for JWJ deficit spending from FY 2006 as recommended by the Board of Examiners.

**BUDGET DETAIL TABLE**

Courts - Jury and Witness Fees						
Sources of Finance	FY 2006 Actual	FY 2007 Appropriated	Changes	FY 2007 Revised	Changes	FY 2008* Base Budget
General Fund	1,525,000	1,525,000	0	1,525,000	0	1,525,000
General Fund, One-time	127,600	0	0	0	0	0
Dedicated Credits Revenue	9,700	5,000	0	5,000	0	5,000
Beginning Nonlapsing	0	(277,610)	194,910	(82,700)	0	(82,700)
Closing Nonlapsing	82,700	427,610	(268,110)	159,500	0	159,500
<b>Total</b>	<b>\$1,745,000</b>	<b>\$1,680,000</b>	<b>(\$73,200)</b>	<b>\$1,606,800</b>	<b>\$0</b>	<b>\$1,606,800</b>
<b>Programs</b>						
Jury, Witness, and Interpreter	1,745,000	1,680,000	(73,200)	1,606,800	0	1,606,800
<b>Total</b>	<b>\$1,745,000</b>	<b>\$1,680,000</b>	<b>(\$73,200)</b>	<b>\$1,606,800</b>	<b>\$0</b>	<b>\$1,606,800</b>
<b>Categories of Expenditure</b>						
In-State Travel	12,600	20,100	(9,000)	11,100	9,000	20,100
Out of State Travel	27,000	33,100	(8,100)	25,000	8,100	33,100
Current Expense	171,600	200,500	(35,900)	164,600	(37,300)	127,300
Other Charges/Pass Thru	1,533,800	1,426,300	(20,200)	1,406,100	20,200	1,426,300
<b>Total</b>	<b>\$1,745,000</b>	<b>\$1,680,000</b>	<b>(\$73,200)</b>	<b>\$1,606,800</b>	<b>\$0</b>	<b>\$1,606,800</b>

\*Does not include amounts in excess of subcommittee's state fund allocation that may be recommended by the Fiscal Analyst.